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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,245	09/28/2000	Masahiro Ishiyama	197808US2RD	7469
22850	7590	12/18/2003	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BRANCOLINI, JOHN R	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 12/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/671,245

Applicant(s)

ISHIYAMA, MASAHIRO

Examiner

John R Brancolini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claims 1-7 are pending in the application.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. The effective filing date of the application is September 29, 1999.

Specification

The disclosure is objected to because of the following informalities:

Page 11, line 10, brief description of drawing 16 as well as page 39 line 23, reference to fig 16. Figure 16 is missing from the drawing set..

Appropriate correction is required.

Drawings

The drawings are objected to because Figure 16, referred to multiple times in the specification is missing from the drawing set. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements. See MPEP § 2172.01. The omitted elements are: The essential steps needed to continue the method claim as started in independent Claim 5. Based on the structure of claim 7, the examiner is assuming the claim is a continuation of the system claimed in Claim 6 for the purposes of prior art citing and referencing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Broadhurst (US Patent Number 6560634).

In regards to claim 1, Broadhurst discloses a domain name system inquiry apparatus comprising:

- Current location information receiving means for receiving location information of the apparatus itself on a connected network (the DNS server maintains zone information relative to its location in the network, col 4 lines 45-50).

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- Current location management means for storing location information received by said current location information receiving means (the DNS server maintains a database for storing information, col 4 lines 45-50).
- Server information receiving means for receiving server information regarding a domain name system server to which an inquiry can be made (a query server receives information regarding a DNS server, Fig 1 item 104, col 3 lines 50-52).
- Server management means for storing the server information received by said server information receiving means (query server stores requests, col 3 lines 50-52).
- Request receiving means for receiving an inquiry request to a domain name system server from a client (col 5 line 65 – col 6 lines 3).
- Request transferring means for transferring the inquiry request received by said request receiving means to at least one domain name system server determined on the basis of said location information and/or said server information (col 6 lines 3-9).
- Response receiving means for receiving a response to the inquiry request transferred by said request transferring means (col 6 lines 10-14).
- Server information changing means for rewriting said server information when rewriting of said server information occurs by the response received by said response receiving means (server information is appended after request is made, col 4 lines 23-41).

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- Request responding means for selecting a response result corresponding to said inquiry request on the basis of this server information and for sending the response result to said client (col 6 lines 15-26).

In regards to claim 2, Broadhurst discloses a domain name system inquiry apparatus further comprising:

- Algorithm receiving means for receiving an algorithm for selecting said response result (the query server uses an instruction set to select the response, col 6 lines 15-26).
- Algorithm management means for storing the algorithm received by said algorithm receiving means (the query server stores the responses and instructions, col 6 lines 15-18).
- Algorithm processing section for selecting a response result in said request responding means by using the algorithm stored in said algorithm management means (the query server selects an appropriate response based on a set of instructions and criteria, col 6 lines 15-26).

In regards to claim 3, Broadhurst discloses a domain name system inquiry method comprising:

- A first step of receiving the location information of an apparatus itself on a connected network (a step is shown where the DNS server maintains zone information relative to its location in the network, col 4 lines 45-50).

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- A second step of storing the location information received in said first step (a step is shown where the DNS server maintains a database for storing information, col 4 lines 45-50).
- A third step of receiving server information regarding a domain name system server to which an inquiry can be made (a step is shown where a query server receives information regarding a DNS server, Fig 1 item 104, col 3 lines 50-52).
- A fourth step of storing the server information received in said third step (a step is shown where the query server stores requests, col 3 lines 50-52).
- A fifth step of receiving an inquiry request to a domain name system server from a client (a step is shown for receiving, col 5 line 65 – col 6 lines 3).
- A sixth step of transferring the inquiry request received in said fifth step to at least one domain name system server determined on the basis of said location information and/or said server information (a step is shown for transferring the request, col 6 lines 3-9).
- A seventh step of receiving a response to the inquiry request transferred in said sixth step (a step is shown for receiving the request, col 6 lines 10-14).
- An eighth step of rewriting said server information when rewriting of said server information occurs by the response received in said seventh step (a step is shown where the server information is appended after request is made, col 4 lines 23-41).
- A ninth step of selecting a response result to said inquiry request on the basis of this server information and sending the response result to said client (a step is shown where the query server selects a response, col 6 lines 15-26).

In regards to claim 4, Broadhurst discloses a domain name system inquiry method further comprising:

- A step for receiving an algorithm for selecting said response result (a step is shown where the query server uses an instruction set to select the response, col 6 lines 15-26).
- A step for storing the algorithm received (a step is shown where the query server stores the responses and instructions, col 6 lines 15-18).
- A step for selecting the response result in said ninth step by using the algorithm stored (a step is shown where the the query server selects an appropriate response based on a set of instructions and criteria, col 6 lines 15-26).

In regards to claim 5, Broadhurst discloses a computer-readable recording medium having a domain name system inquiry method recorded therein, the domain name system inquiry method comprising:

- A first step of receiving the location information of an apparatus itself on a connected network (a step is shown where the DNS server maintains zone information relative to its location in the network, col 4 lines 45-50).
- A second step of storing the location information received in said first step (a step is shown where the DNS server maintains a database for storing information, col 4 lines 45-50).

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- A third step of receiving server information regarding a domain name system server to which an inquiry can be made (a step is shown where a query server receives information regarding a DNS server, Fig 1 item 104, col 3 lines 50-52).
- A fourth step of storing the server information received in said third step (a step is shown where the query server stores requests, col 3 lines 50-52).
- A fifth step of receiving an inquiry request to a domain name system server from a client (a step is shown for receiving, col 5 line 65 – col 6 lines 3).
- A sixth step of transferring the inquiry request received in said fifth step to at least one domain name system server determined on the basis of said location information and/or said server information (a step is shown for transferring the request, col 6 lines 3-9).
- A seventh step of receiving a response to the inquiry request transferred in said sixth step (a step is shown for receiving the request, col 6 lines 10-14).
- An eighth step of rewriting said server information when rewriting of said server information occurs by the response received in said seventh step (a step is shown where the server information is appended after request is made, col 4 lines 23-41).
- A ninth step of selecting a response result to said inquiry request on the basis of this server information and sending the response result to said client (a step is shown where the query server selects a response, col 6 lines 15-26).

In regards to claim 6, Broadhurst discloses a domain name system inquiry apparatus comprising:

- Current location information receiving mechanism configured to receive location information of the apparatus itself on a connected network (the DNS server maintains zone information relative to its location in the network, col 4 lines 45-50).
- Current location management mechanism configured to store location information received by said current location information receiving mechanism (the DNS server maintains a database for storing information, col 4 lines 45-50).
- Server information receiving mechanism configured to receive server information regarding a domain name system server to which an inquiry can be made (a query server receives information regarding a DNS server, Fig 1 item 104, col 3 lines 50-52).
- Server management mechanism configured to store the server information received by said server information receiving mechanism (query server stores requests, col 3 lines 50-52).
- Request receiving mechanism configured to receive an inquiry request to a domain name system server from a client (col 5 line 65 – col 6 lines 3).
- Request transferring mechanism configured to transfer the inquiry request received by said request receiving mechanism to at least one domain name system server determined on the basis of said location information and/or said server information (col 6 lines 3-9).
- Response receiving mechanism configured to receive a response to the inquiry request transferred by said request transferring mechanism (col 6 lines 10-14).

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- Server information changing mechanism configured to rewrite said server information when rewriting of said server information occurs by the response received by said response receiving mechanism (server information is appended after request is made, col 4 lines 23-41).
- Request responding mechanism configured to select a response result corresponding to said inquiry request on the basis of this server information and for sending the response result to said client (col 6 lines 15-26).

In regards to claim 7, Broadhurst discloses a domain name system inquiry apparatus according to claim 5, further comprising:

- Algorithm receiving mechanism configured to receive an algorithm for selecting said response result (the query server uses an instruction set to select the response, col 6 lines 15-26).
- Algorithm management mechanism configured to store the algorithm received by said algorithm receiving means (the query server stores the responses and instructions, col 6 lines 15-18).
- Algorithm processing section mechanism configured to select a response result in said request responding means by using the algorithm stored in said algorithm management means (the query server selects an appropriate response based on a set of instructions and criteria, col 6 lines 15-26).

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Mann et al. (US Patent Number 6298341), a system and method for generating domain names and for facilitating registration and transfer of the same.


Berstis et al. (US Patent Number 6092100), a method for resolving entry of an incorrect URL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R Brancolini whose telephone number is (703) 305-7107. The examiner can normally be reached on M-Th 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

JRB


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